IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

Bail Appl..No. 6399 of 2007()

CRMP.647/2007 of SPL. COURT (NDPS ACT CASES), VADAKARA

.....

(CRIME NO.337/07 OF MEDICAL COLLEGE POLICE STATION,KOZHIKODE)

PETITIONER:1ST ACCUSED:

ABDUL SALI, S/O.ABDULLA,
PUTHEN PURAYIL, KALLAI, KOZHIKODE.

BY ADV. SRI.K.PRAVEEN KUMAR

RESPONDENTS: COMPLAINANT/ STATE:

----

1. **THE SUB INSPECTOR OF POLICE,**
   MEDICAL COLLEGE POLICE STATION, KOZHIKODE.

2. **STATE REPRESENTED BY PUBLIC PROSECUTOR,**
   HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

R.BASANT, J

= = = = = = = = = = = = = =

B.A.No.6399 of 2007

= = = = = = = = = = = = = =

Dated this the 22nd day of October, 2007

ORDER

Application for regular bail. The petitioner is the 1st accused. Altogether there are three accused persons. The prosecution alleges that 1.5 Kg of Ganja was seized from the possession of the petitioner on 6.9.07. He was arrested and continues in custody from that date. Investigation is still in progress. Final report has not been filed so far.

2. The learned counsel for the petitioner prays that a lenient view may be taken and the petitioner who remains in custody from 6.9.07 may now be released on bail.

3. The learned Public Prosecutor opposes the application. The quantity of Ganja seized is neither small quantity nor commercial quantity. The offence is punishable for imprisonment for a period of 10 years and with fine which may extend to Rs.1,00,000/-. Investigation is in progress. The Investigators may be given some further time to complete the investigation, prays the learned Public Prosecutor.

4. Having considered all the relevant inputs including the nature and gravity of the allegations, stage of investigation etc., I am not persuaded to grant regular bail to the petitioner at this early stage.

Investigators in a serious crime like this are certainly entitled to further time to complete the investigation.

5. In the result, this petition is dismissed. However, I may hasten to observe that the petitioner shall be at liberty to move this court or the courts below for bail again at a later stage of the investigation not, at any rate, prior to 2.11.2007. The Investigators shall, in the meantime, make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE